

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

**COMMONWEALTH OF PUERTO RICO,
et al.,**

Defendants.

CIVIL NO. 12-2039 (GAG)

ORDER

The Court acknowledges and makes part of the record as attachment to this order the February 22, 2017 hand-delivered letter from Puerto Rico Senate President, Honorable Thomas Rivera-Shatz, to the undersigned. (See Attachment #1 to this Order.) In the same, President Rivera-Shatz informs the Court that all Senators from said legislative body's majority delegation will not attend the Court's Public Hearing set for tomorrow, February 24, 2017. Senators from all three caucuses, as well as the sole independent member, were invited to attend and observe said Public Hearing. (See Docket No. 484.)

The Court is highly appreciative of the deference given to it by the Senate President and Senate Majority. Furthermore, the Court acknowledges that the reasons espoused in the letter are akin to those stated in the above-mentioned Order of February 17, 2017, to the effect that the undersigned, nor the Court Monitor, cannot participate in purely law-making hearings before the Puerto Rico Senate and House of Representatives. This fosters the principle of separation of powers doctrine between legislative and judicial bodies; more so, when one is federal and the other is local.

1 This content of this order is addressed to the Senate President and Majority, and not the
2 Minority and Independent Senators. However, the Court reiterates that the Monitor, as well as the
3 undersigned judge, may not provide to any legislator official advice on pending legislation, which
4 once law, the Court could conceivably be called upon to review. As to any non-law making matter,
5 the Court and Monitor remain in the best disposition to provide guidance on the reform process as
6 well as any public information on the matter.

7 **SO ORDERED.**

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9 In San Juan, Puerto Rico this 23rd day of February, 2017.

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11 */s/ Gustavo A. Gelpí*
12 GUSTAVO A. GELPÍ
13 United States District Judge
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